

REMARKS/ARGUMENTS

Claims 1-4, 8-10, 16-18, 24, 26 and 33-35 were pending in the application, claims 1-4, 8-10, 16-18, 24 and 26 were withdrawn, and claims 33-35 are rejected.

By this Amendment, claims 1-4, 8-10, 16-18, 24, and 26 have been canceled, claims 33, 34, and 35 have been amended, and claims 36-56 have been added. Reconsideration is respectfully requested.

Amendments to Claims 33, 34, and 35

Applicants have amended claims 33, 34, and 35. For example, claim 33 has been amended to recite that “a trusted relationship is entered into between the at least one sell-side user and the at least one buy-side user and wherein the relationship includes a variable level of trust.” A similar amendment has been made to claims 34 and 35. The amendments to claims are fully supported by the originally filed application. For example, support can be found in pages 29-30 of the specification and in Fig. 9.

Claims 33, 34, and 35 are Allowable over Lipkin and Dorak

Claims 33-35 are rejected as being unpatentable over the combination of U.S. Patent 6,721,747 to Lipkin and U.S. Patent 6,389,403 to Dorak et al. Applicant respectfully traverses this rejection.

U.S. Patent 6,721,747 to Lipkin relates to the managing of information in an information system having a server, a client and database for computers, telecommunications and computer network systems. The system generates metadata using an import agent, determines at least one match using a match agent, and dispatches the match or a result associated with the match using a delivery agent. The metadata may be Resource Description Format (RDF) metadata, and/or the match agent may determine the match. The system also provides for managing information using a match template in an information resource system by comparing a first set of metadata with a second set of metadata, dynamically generating a query based on the first set of metadata, and executing the query against the second set of metadata.

U.S. Patent 6,389,403 to Dorak et al. relates to uniquely identifying a customer purchase in an electronic distribution system. The identification method for a digital content player includes receiving first, second and third identifiers, and producing a fourth unique identifier based on mathematical combination of identifiers. The system tracks usage of digital content on user devices. Content sites associate a unique content identifier with the content. Electronic stores coupled to a network sell licenses to play digital content data to users. The licenses contain a unique transaction identifier for uniquely identifying the transaction, and the licenses contain a unique item identifier for uniquely identifying at least one item in the transaction. Content players, which receive from the network the licensed content data, are used to play the licensed content data. The content players produce a purchase identifier based upon the mathematical combination of the content identifier, the transaction identifier and the item identifier.

In contrast, claims 33, 34, and 35 relate to methods related to commercial transactions. For example, the method of claim 33 recites:

making a first set of personal profiles available, from at least one buy-side user to at least one sell-side user, each personal profile in the first set of personal profiles including a first set of first values for a plurality of information fields, the plurality of information fields relating to commercial transactions,

receiving a second set of personal profiles, from the at least one sell-side user at the at least one buy-side user, each personal profile in the second set of personal profiles including a second set of values for the plurality of information fields,

based upon at least part of the first set of personal profiles and at least part of the second set of personal profiles, making at least part of the second set of personal profiles available from the at least one buy-side to the at least one sell-side user,

based upon the at least part of the first set of personal profiles and the at least part of the second set of personal profiles, receiving a request to enter into a trusted relationship from the at least one sell-side user at the at least one buy-side user,

receiving a set of trusted relationship information, and

making the set of trusted relationship information available whereby a commercial transaction is facilitated and a trusted relationship is entered into between the at least one sell-side user and the at least one buy-side user and wherein the relationship includes a variable level of trust.

No combination of the cited prior art discloses the combination of elements recited in any of claims 33, 34, or 35. For example, no combination of Lipikin or Dorak discloses facilitating a commercial transaction and entering into a trusted relationship “between the at least one sell-side user and the at least one buy-side user and wherein the relationship includes a variable level of trust.” Furthermore, claims 33-35 are allowable for at least reasons described in, for example, the Pre-Appeal Brief of October 3, 2006 and the Reply to Office Action of August 2, 2006.

Accordingly, Applicants respectfully request withdrawal of the rejections to independent claims 33-35.

New Claims 36-56

New claims 36-56 are fully supported by the originally filed application. For example, support can be found in pages 29-30 of the specification and in Fig. 9

Each of dependent claims 36-56 depends from one of claims 33-35. Accordingly, Applicants respectfully submit that the dependent claims are in condition for allowance for at the same reasons as independent claims 33-35. Such allowance is respectfully requested.

CONCLUSION

Applicants respectfully submit that, as described above, the cited prior art does not show or suggest the combination of features recited in the claims. Applicants do not concede that the cited prior art shows any of the elements recited in the claims. However, Applicants have provided specific examples of elements in the claims that are clearly not present in the cited prior art.

In addition, each of the combination of limitations recited in the claims includes additional limitations not shown or suggested by the prior art. Therefore, for these reasons as well, Applicants respectfully request withdrawal of the rejection.

Further, there is no motivation shown to combine the prior art cited by the Examiner, and even if these teachings of the prior art are combined, the combination of elements of claims, when each is interpreted as a whole, is not disclosed in the Examiner's proposed combination. As the combination of elements in each of the claims is not disclosed, Applicants respectfully request that the Examiner withdraw the rejections.

Applicants strongly emphasize that one reviewing the prosecution history should not interpret any of the examples Applicants have described herein in connection with distinguishing over the prior art as limiting to those specific features in isolation. Rather, Applicants assert that it is the combination of elements recited in each of the claims, when each claim is interpreted as a whole, which is patentable. Applicants have emphasized certain features in the claims as clearly not present in the cited references, as discussed above. However, Applicants do not concede that other features in the claims are found in the prior art. Rather, for the sake of simplicity, Applicants are providing examples of why the claims described above are distinguishable over the cited prior art.

Applicants wish to clarify for the record, if necessary, that the claims have been amended to expedite prosecution. Moreover, Applicants reserve the right to pursue the original subject matter recited in the present claims in a continuation application.

Any narrowing amendments made to the claims in the present Amendment are not to be construed as a surrender of any subject matter between the original claims and the present claims; rather merely Applicants' best attempt at providing one or more definitions of what the Applicants believe to be suitable patent protection. In addition, the present claims provide the intended scope of protection that Applicants are seeking for this application. Therefore, no estoppel should be presumed, and Applicants' claims are intended to include a scope of protection under the Doctrine of Equivalents.

Further, Applicants hereby retract any arguments and/or statements made during prosecution that were rejected by the Examiner during prosecution and/or that were unnecessary to obtain allowance, and only maintains the arguments that persuaded the Examiner with respect to the allowability of the patent claims, as one of ordinary skill would understand from a review of the prosecution history. That is, Applicants specifically retract statements that one of ordinary skill would recognize from reading the file history were not necessary, not used and/or were rejected by the Examiner in allowing the patent application.

For all the reasons advanced above, Applicants respectfully submit that the rejections have been overcome and should be withdrawn.

For all the reasons advanced above, Applicants respectfully submit that the Application is in condition for allowance, and that such action is earnestly solicited.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees, which may be required for this Amendment, or credit any overpayment to Deposit Account No. 08-0219

In the event that an Extension of Time is required, or which may be required in addition to that requested in a petition for an Extension of Time, the Commissioner is requested to grant a petition for that Extension of Time which is required to make this response timely and is hereby authorized to charge any fee for such an Extension of Time or credit any overpayment for an Extension of Time to Deposit Account No. 08-0219.

Respectfully submitted,

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